IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL WRIT PETITION NO.2682 OF 2005

Neela Choksi and ors. : Petitioners.

versus

State of Maharashtra & ors. : Respondents.

Mr.Bhavesh Parmar for the petitioners.

Smt.P.H.Kantharia, APP, for the State.

CORAM : D.G.DESHPANDE &

V.M.KANADE, JJ.

DATED : 21st November 2005.

ORAL ORDER

1. Heard advocate for the petitioners and learned APP for the State. This is a joint petition filed by the wife and husband. They have settled the dispute between them. When the wife applied to the Magistrate for quashing the proceedings issued against the husband & mother-in-law under Section 498A of the Indian

Penal Code, that application was rejected by the Court. Learned APP appearing for the respondents states that when the matter is settled between the wife and husband, the Court can, on the basis of the judgment of the Supreme Court, reported in **AIR 2003 SC 1386 [B.S.Joshi and others v/s. State of Haryana and another]** and particularly para 15, quash the FIR or complaint. In view this judgment, this petition is allowed in terms of prayer clause (a). The impugned judgment and order is set aside. The matter stands compromised and settled as between the wife and husband. No order as to costs.

[D.G.DESHPANDE,J]

[V.M.KANADE,J]